

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

v.

DRESHAWN McBROOM


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Criminal No. 21-97

ORDER ON MOTION TO QUASH

Defendant served a subpoena duces tecum requesting certain information contained within the personnel files maintained by the Pittsburgh Bureau of Police to be delivered to defense counsel. The subpoena purported to be issued under Rule 17 but did not indicate a trial date for this matter. This is troubling because Rule 17 is not a discovery mechanism and it appears that it was used by Defendant in order to circumvent Rule 16 and the Jencks Act. See Fed. R. Crim. Proc. 17(h). The Court has not set a trial date yet, nor did Defendant seek permission from the Court for the issuance of a subpoena with a return date prior to the date of trial. See Fed. R. Crim. Proc. 17(c)(1). In light of this conduct and recognizing the Court's duty to ensure that the rules of procedure are followed, the government's motion to quash said subpoena will be granted.

AND NOW, this 12th day of May 2021, upon consideration of the Government's Motion to Quash Subpoena to the Pittsburgh Bureau of Police, ECF No. 41, it is hereby ORDERED that said motion is GRANTED.


Marilyn J. Horan
United States District Judge